UNITED
NATIONS

E

Economic and Social
Council

Distr.
GENERAL

E/CN.4/AC.46/1998/3/Add.38
9 July 1998

Original: ENGLISH

COMMISSION ON HUMAN RIGHTS
Intergovernmental working group of experts
on human rights of migrants
Third session
Geneva, 23 - 27 November 1998

# INFORMATION AND COMMENTS RECEIVED FROM GOVERNMENTS, UNITED NATIONS BODIES, SPECIALIZED AGENCIES, INTERGOVERNMENTAL AND NON-GOVERNMENTAL ORGANIZATIONS

Report of the Secretary-General

## ANNEX

Submission from the Permanent Mission of Israel
dated 17 February 1998

GE.98 - 13140

**Questionnaire on the Human Rights of Migrants**

**Response of Israel**

1. Statistical data

The Central Bureau of Statistics estimates Israel's population at the end of 1997 at 5.9 million, including 4.7 million Jews (80%) and approximately 1.2 million Arabs and others (20%). The rate of population increase for 1997 was 2.5% (144,900.

Since the establishment of the State, more than 2.6 million people have immigrated to Israel: approximately 59% from Europe, 18% from Africa, 15% from Asia, and 8% from the Western Hemisphere and Oceania. The largest number of immigrants have arrived from the former Soviet Union, Poland and Morocco. Since 1948, there have been more than 900,000 immigrants to Israel from the former Soviet Union, approximately 340,000 from Poland and 270,000 from Morocco.The countries of the former Soviet Union are still the largest source of immigration to Israel. Approximately 66,500 people immigrated to Israel in 1997 (87% of them from the countries of the former Soviet Union). Further analytical data is available in Annex 1.

Of around 2,131,400 workers in Israel in 1996, about 94,000 were non-nationals having authorisation to work. It is estimated that there are currently 120,000 foreign workers unlawfully present in Israel.

2. Measures to strengthen the promotion, protection and implementation of the human rights of migrants.

When discussing the status and situation of migrants in Israel, it is important first to identify the relevant populations. Two distinct and very different groups come to mind in this respect:

a) new immigrants, who are Jewish or related to Jews, who immigrate to Israel with the intention of remaining. They may become citizens immediately upon their arrival. Since Israel regards itself as a country of absorption and a haven and home to Jews, the State provides the new immigrants with a variety of rights and services to facilitate their integration in Israeli life.

b) foreign workers: in recent years a large number of workers have come to Israel from all over the world, in particular from Romania and other Eastern European countries, the Philippines, Thailand and other countries in South East Asia, Africa and South America. They are nearly all employed in the building sector, agriculture, nursing and hotels; a small number are employed in industry and public services.

These workers are neither citizens nor permanent residents of Israel, many of them being present illegally in the country. However, as they now constitute some 10% of the Israeli work force, it has become necessary to address fact of their presence and its impact on Israeli society. In addition, many of these workers would clearly prefer to immigrate to Israel formally. Therefore, for the purposes of this questionnaire, this population shall also be discussed.

*New Immigrants*

The absorption of new immigrants is coordinated by the Ministry of Absorption. Futher information is available in Annex 2.

*Foreign Workers*

As prescribed by international law and the basic principles of the legal system in Israel, the law in Israel does not discriminate between foreign workers and resident Israeli workers:

- The Equal Employment Opportunity Law 1988 prohibits discrimination on the basis of "nationality" or "state of origin" as regards granting work opportunities and determining conditions of work.
- The labour laws in Israel that determine the basic rights of the worker (minimum wage, hours of work and rest, prohibition on delaying salary payments, severance pay, safety in the workplace etc.) apply to every "worker", irrespective of his citizenship. This is also the case with regard to other rights stemming from collective agreements and extension orders.
- Educational services are provided without distinction to the children of Israeli residents and to the children of foreign workers.
- Emergency health services are granted without distinction to anyone arriving at the outpatients emergency ward of hospitals. The foreign worker is entitled to health insurance and other services on the basis of the National Health Insurance Law 1994. The foreign worker is thus required to insure himself. The exception to this are the three branches of national insurance - work accidents, maternity and childbirth - which apply by law (the National Insurance Law (Revised version) 1995) to all "workers", as opposed to the other branches which are dependent on the person being a "resident".
- Welfare services are provided to foreign workers and the families without distinction. There is a statutory requirement on the relevant authority to intervene in certain circumstances, such as in the event of violence in the family, sexual assault of minors, neglect of minors, adoption etc.

In 1996, the Government decided to set up the Foreign Workers Administration with a view to monitoring the numbers of foreign workers and to avoiding the problems faced by European countries in this context, where the increasing numbers of foreign workers was accompanied by serious social problems (xenophobia, unemployment, crime etc.). The Administration coordinates the activities of the various authorities involved so as to improve both enforcement of the law and the care for the foreign workers themselves. The Minister of Labour and Social Affairs heads the Ministerial Committee dealing with foreign workers.

The first goal set by the Government for the Administration is to curb the phenomenon of workers without permits and gradually reduce the number of permits. The second goal for the Administration is to coordinate the various non-profit organisations working on behalf of the foreign workers, in particular those legally present in Israel, and also to directly help the workers themselves by providing information on their rights.

Thus, on the one hand the Government increases supervision, control and enforcement in order to reduce the phenomenon of foreign workers, and on the other takes steps for the protection of the rights and welfare of legal foreign workers.

3. Racism, xenophobia and discrimination against migrants

*New Immigrants*

Since the immigrants are Jewish or family members of Jews, racism and xenophobia are obviously not relevant in the present context. It would also be inappropriate to address their status in terms of discrimination. As indicated by the attached publication, **Immigration Absorption, 1997**, this population, divided into sub-groups, receives special attention from the State. This special treatment is intended to facilitate absorption in Israel.

Admittedly, new immigrants do not assimilate into Israeli society overnight. Absorption is often a long and difficult process, at times frustrating. However, the experience of Israel shows that with time immigrants are absorbed and become part of the community. Indeed most of Israel's current population is made up of immigrants and their descendants. While the process sometimes requires confrontation with conceptions and concepts that are familiar to Israelis but unknown to immigrants, there is no doubt that, on the whole, immigrants are welcome in Israel and do not suffer from discrimination.

*Foreign Workers*

As explained above, the status of foreign workers is not yet fully regulated. In addition, many workers do not access state authorities at all because their presence in Israel is illegal. Thus it is difficult to assess their situation.

Nevertheless, it can safely be said that foreign workers in Israel do not suffer racism or xenophobia. While they are not integrated into Israeli society, they are not rejected by it. Phenomena of violence do not exist. The media rarely has cause to report on incidents of violence against foreign workers, even though there is constant and continuous coverage of matters relating to foreign workers. There is no manifestation of racial or xenophobic sentiments against foreign workers.

4. Status of Conventions

Israel is a party to the ILO Migration for Employment Convention (Revised) 1949 (No. 97) and to the ILO Maintenance of Migrants' Pension Rights Convention, 1935 (No. 48).

As for the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (MWC): Until recently this Convention was practically irrelevant to Israel, as the phenomenon of migrant workers was unfamiliar to it. Since, in recent years, this phenomenon has become more pertinent to Israeli society, implementation of legal measures, on both internal and the international levels, is currently beginning.

Annex 1-1

# IMMIGRATION FROM FORMER SOVIET UNION (F.S.U.) BY REPUBLIC

1989 - 1996

| REPUBLIC | 1989 | 1990 | 1991 | 1992 | 1993 | 1994 | 1995 | 1996 | TOTAL |
|---|---|---|---|---|---|---|---|---|---|
| RUSSIA | 3,100 (24.0%) | 45,500 (25.0%) | 47,300 (32.0%) | 24,800 (38.0%) | 23,100 (35.0%) | 24,600 (36.0%) | 15,700 (24.0%) | 16,450 (28.3%) | 200,550 (30.8%) |
| UKRAINE | 3,600 (28.0%) | 58,900 (32.0%) | 39,800 (27.0%) | 13,100 (20.0%) | 12,800 (19.0%) | 22,700 (33.0%) | 23,600 (36.0%) | 23,400 (40.3%) | 197,900 (30.4%) |
| BELARUS | 1,100 (9.0%) | 23,400 (13.0%) | 16,000 (11.0%) | 3,300 (5.0%) | 2,300 (3.0%) | 2,900 (4.0%) | 4,200 (6.0%) | 4,350 (7.5%) | 57,550 (8.8%) |
| MOLDAVA | 1,500 (12.0%) | 11,900 (6.0%) | 15,400 (10.0%) | 4,300 (7.0%) | 2,200 (3.0%) | 1,900 (3.0%) | 2,400 (4.0%) | 2,000 (3.4%) | 41,600 (6.4%) |
| BALTIC REPUBLICS | 600 (5.0%) | 7,400 (4.0%) | 3,100 (2.0%) | 1,300 (2.0%) | 1,800 (3.0%) | 1,200 (2.0%) | 1,000 (2.0%) | 1,150 (2.0%) | 17,550 (2.7%) |
| CENTRAL ASIA, AZERBAIJAN, GEORGIA, ARMENIA | 2,800 (22.0%) | 34,800 (19.0%) | 25,800 (17.0%) | 14,000 (22.0%) | 18,400 (28.0%) | 14,100 (21.0%) | 15,500 (24.0%) | 10,750 (18.5%) | 136,150 (20.9%) |
| UNKNOWN | 100 | 3,300 | 400 | 4,300 | 5,500 | 700 | 2,400 | 800 | 16,700 |
| TOTAL | 12,900 (100.0%) | 185,200 (100.0%) | 147,800 (100.0%) | 65,000 (100.0%) | 66,100 (100.0%) | 68,100 (100.0%) | 65,400 (100.0%) | 58,900 (100.0%) | 668,400 |

Source: Central Bureau of Statistics
Note: percentage frequency does not include " unknown"

Annex 1-2

# ABSORPTION OF IMMIGRANTS FROM CAUCASIA

## Background

- There are approximately 70,000 Caucasian immigrants in Israel, 50,000 of them having arrived during the period from 1989-1996
- Most of them are living in large concentrations of Caucasian immigrants that are located in some 12 towns
- The integration of the Caucasians into Israeli society is accompanied by specific difficulties in part related to an image problem, and to a lack of understanding of them from the side of the greater Israeli public

## Goals

- The Ministry of Absorption has set-up a special division devoted to dealing with the issues of the Caucasian immigrants. The division will coordinate its activities with other agencies involved with these immigrants. A permanent inter-ministerial committee under the direction of the Ministry of Absorption will be formed to execute the over-all program
- The guiding principles of the program are as follows:
  - To familiarize the wider Israeli public, as well as absorption workers, with the uniqueness of this community and its special culture
  - To achieve suitable integration into the workforce
  - To reinforce the learning capabilities of children and teenagers in the different stages of education
  - To return school drop-outs to the educational system and integrate them into suitable educational environments
  - To encourage high school youth to continue to learn in higher educational settings
  - To carry out projects to strengthen the social integration of the Caucasians into Israeli society

Annex 1-3

# ETHIOPIAN IMMIGRANTS

**Background Data**

- **The Ethiopian immigrants in Israel today number approximately 60,000 [approximately 12,500 of them were born in Israel and some 1,000 have passed away]**
- **Immigration data**

| | |
|---|---|
| **Until "Operation Moses"** | **6,000 Individuals** |
| **In the course of "Operation Moses"** | **7,000 Individuals** |
| **Until "Operation Solomon"** | **11,000 Individuals** |
| **In the course of "Operation Solomon"** | **14,300 Individuals** |
| **From "Operation Solomon" until the end of Dec. 1996** | **9,800 Individuals** |

**Source: Ministry of Immigrant Absorption**

Annex 2-1

# ACTIVITIES FOR ABSORPTION IN EMPLOYMENT - 1996

**The Absorption in Employment Division Operates Professional and Vocational Courses and Grants Financial Aid for Job-Placement of New Immigrants**

- 380 evening training program courses operated with some 7,600 participants. The subjects of the courses included: computerized graphics, auto-card, English, Hebrew, computer languages, computerized accounting, word-processing, etc.
- The Division runs 6 job-placement centers. Some 4,000 immigrants participated in the programs
- 120 physicians participated in 5 courses to train them as para-medicals
- 1,300 physicians, dentists, pharmacists, social workers, lawyers and C.P.A.S participated in some 50 courses organized in cooperation with the Ministries of Health and of Social Welfare. The purpose of these courses is to assist the participants in getting registered, licensed and placed in a job
- The Division grants financial aid to employers who give jobs to immigrants
  - Some 900 immigrants above the age of 45 were placed. This program is conducted in conjunction with the "JOINT"
  - Some 650 academic professionals found jobs in the public and private sectors
  - Jobs were found for some 470 immigrants from Ethiopia
  - Some 425 jobs were subsidized for physicians and para-medicals
  - 120 "internships" were financed for young physicians
  - 190 "residencies" were financed for physicians whose specialties from abroad were not recognized in Israel

Annex 2-2

# SMALL BUSINESS INITIATIVES - ENTREPRENEURSHIP

## Background

- The Ministry of Absorption assists immigrant entrepreneurs by providing advice, guidance and training
- Immigrants obtain these services through a network of Entrepreneurship Development Centers("MATI")
- From the onset of the present wave of immigration, the Ministry has assisted in the establishment of some 4,000 business enterprises
- In 1995 some 670 loans were granted to immigrants totaling some 13 million N.I.S. generating a 228 million N.I.S. investment
- 80% of the loans are repaid

## GOALS

- To actualize the rights of all the immigrants who arrived from the onset of the present wave of immigration to receive proper information services, direction , guidance and business advice
- To improve the quality of the service being provided by the professional counseling centers, and reinforcing the centers with experts who are suitable for the immigrants
- Expansion of the available assistance in advice and financing for the initiative of immigrants who are in need of help in opening businesses and overcoming obstacles to growth

Source: The Ministry of Immigrant Absorption

Annex 2-3

# ABSORPTION WITHIN THE COMMUNITY

- The Ministry of Absorption established in 1994 a special division of "absorption within the community" for the purpose of aiding municipalities to integrate the new immigrants moving into permanent housing within their communities
- In 1994 over-all and specific projects were initiated as follows:

| Year | Over-all Projects * | Specific Projects | Total Projects |
|---|---|---|---|
| 1994 | 18 | 8 | 26 |
| 1995 | 52 | 10 | 62 |
| 1996 | 54 | 10 | 64 |
| 1997 (planned) | 88 | - | 88 |

- The activities of the division within the municipalities brought about a dramatic change in the level of services offered to the new immigrants by local authorities
- The municipalities set up steering committees which designed, formulated and joined forces in allocating funding for the various projects. These committees included representatives of the municipality, government ministries and local and national organizations. Beginning in 1997 immigrants will also participate in the committees
- The amount of aid given to each municipality is determined by the following factors: socio-economic and demographic characteristics of the population of the locality, as well as the organizational ability to carry out large scale projects

Source: Ministry of Immigrant Absorption
*"Over-all projects" include those that deal with all aspects of the absorption process in the municipality, while
**"specific projects" are addressed to particular facets of the process

Annex 2-4

# HEBREW LANGUAGE ACQUISITION FOR ADULTS

## DURING 1996

- 2,100 classes opened in 74 towns and cities with 47,500 immigrants attending
- 65% of all adults attend Hebrew classes (ulpanim)
- 90 Hebrew classes functioned for unique groups:

  Scientists (3), physicians and nurses (30), mentally handicapped (3), , blind deaf and disabled (8), Ethiopian immigrants who moved into permanent housing (40), construction workers (4), drop-out youth aged- 16-21 (3)

## OBJECTIVES

- Beginning from 1/1/97 the Hebrew Ulpan System is being run jointly by the Ministry of Immigrant Absorption, the Ministry of Education and Culture and the Jewish Agency. The system is comprehensive and will aim to expand its activities to include:
- Decreasing the number of drop-outs from Hebrew courses
- Expanding the program for drop-out youth
- Further development of Hebrew courses for specific professions and Hebrew classes at places of employment
- Developing model language acquisition schools on a regional basis
- Incorporation of workshops on daily life in Israel into the language acquisition classes
- Continuation of language acquisition classes and programs for Ethiopian immigrants moving into permanent housing
- Implementation of evaluation studies on effectiveness of various language acquisition programs and classes

Source: Ministry of Immigrant Absorption

Annex 2-5

# SOCIAL WELFARE

- The Social Welfare Department acts as an intermediary agency, coordinating service for immigrants in distress with institutions and organizations. The Department has a professional staff of social workers, which provides services directly to individuals
- The programs are run on an individual as well as communal basis
- The relatively high proportion of elderly singles and couples, single-parent families, disabled and chronically ill among the immigrants has made extra demands on the Social Security and Social Welfare agencies

GOALS

- Identification of problems and needs of immigrants along with the initiation and development of proper programs
- Short-run care for immigrants in need as a result of risk or distress, while arranging for continued care and attention by the various social agencies in the community in accordance with the specific needs of the immigrants

Annex 2-6



# SOCIAL WELFARE (CONTINUED)

## MAIN ACTIVITIES - 1996

- Granting subsistence allowances to 2,500 immigrants for an additional 6 months during the second half of the first year in the country ( A subsistence allowance for the first half of the first year is built-into "the absorption basket")
- Granting of financial aid for those in desperate financial circumstances through a special found administered by district directors from the Ministry of Absorption
- Granting of financial aid to those immigrants living in 3 specific hotels in order to improve their quality of life
- Participation and funding of educational programs to prevent the spread of communicable diseases among immigrants from Ethiopia
- Running of a "hot-line" and support groups for immigrants from the Chernobyl area
- Individual attention for immigrants and their families struck by terrorist acts, as well as for immigrants soldiers killed or wounded in battle

Annex 2-7

# ABSORPTION IN RURAL SETTLEMENTS

## Background - 1996

- 315 families entered "first home in the homeland" program. Altogether some 19,000 immigrants participated in this program since its inception in 1990. 150 Families who immigrated in 1995 were still in the program in December, 1996
- 450 families are in the process of being accepted as members of a kibbutz
- 300 families live in moshavim
- 6,000 youth studied Hebrew at 54 language acquisition schools in kibbutzim
- 1,800 students live and study in kibbutz high schools
- 750 professionals, 400 of them scientists and R&D engineers, have found jobs in their fields of specialty in kibbutz industrial plants and technological incubators

## The Rural Settlements Department of the Ministry Focused on:

- Increasing the participation of rural settlements in the absorption process
- Cooperation with the regional municipal councils
- Increasing interaction between immigrant and veteran youth
- Getting Ethiopian immigrants to familiarize themselves with life in rural settlements
- This activity includes:
  - 120 children learn in elementary schools a "long day"
  - 87 youth attend kibbutz jr. high schools
  - 210 students studying at regional colleges live on kibbutzim
  - A new program enables 35 Ethiopian youth to work at and live on kibbutzim without having to be members

Annex 2-8

# THE INTEGRATION OF YOUNG ETHIOPIANS IN HIGHER EDUCATION AND POST-SECONDARY SCHOOLS* AND IN THE ARMY

## HIGHER EDUCATION

| Year | Students in one year preparatory courses | Regular Students | Total |
|---|---|---|---|
| 1991/92 | | | 145 |
| 1992/93 | 55 | 185 | 240 |
| 1993/94 | 131 | 219 | 350 |
| 1994/95 | 172 | 306 | 478 |
| 1995/96 | 411 | 480 | 891 |
| 1996/97 | 607 | 600 | 1,207** |

## ARMY SERVICE

- Approximately 1,700 young people from the community are serving in the army, 40 of whom, both males and females, are officers
- Approximately 95% of the last graduating class of boys (November 1996) were drafted into the army

Source: The Student Authority, the Ministry of Immigration Absorption; Manpower Branch, Israel Defense Forces

* All institutions served by the Student Authority

** Approximately 225 more attend special evening preparatory programs.